

The Georgia State Board of Pharmacy met on **May 13, 2003 at the Professional Licensing Boards Division, 237 Coliseum Drive, Macon, GA.**

Members Present:

- John Sherrer, President
- Mickey Tatum, Vice President
- Charles Palmer
- Eddie Madden
- Bill Prather
- Roger Lane
- Jeff Lurey

Others Present: Combine these two sets of names

- Rick Allen, Dep. Dir., Georgia Drugs and Narcotics Agency
- David Carr, Agent, Georgia Drugs and Narcotics Agency
- Ann Pickett, Secretary of State's Office
- Janet B. Wray, Board Attorney
- Anita O. Martin, Executive Director
- Laura Sturick, Board Secretary

Mr. Sherrer established that a quorum was present, and called the meeting to order at 10:00 A.M.

Mr. Lurey moved, Mr. Palmer seconded, and the Board voted to enter into EXECUTIVE SESSION in accordance with **O.C.G.A §§43-1-19(h)(2) and 43-1-2(k)** to review applications, deliberate on disciplinary matters, and to receive information on investigative reports. Voting in favor of the motion were those present who included Board Members Mr. Lane, Mr. Madden and Mr. Tatum.

At the conclusion of EXECUTIVE SESSION the Board returned to **Open Session** to vote on the matters discussed in Executive Session and to conduct other Board business.

APPOINTMENT (S)

- The Board met with **Ronald Varner** and his advocate to discuss possible reinstatement.
- The Board met with **Thomas Barrett** and his advocate to discuss possible reinstatement.
- The Board met with **Britt Roberts** and his advocate to discuss possible reinstatement.
- Review Hearing – **Callistus Eziukwu**

Mickey Tatum, Cognizant Board member reported on the following cases:

- #A03-19, #A03-13, #A26515 and #R03-01

Janet B. Wray, Attorney General's Office

- Mrs. Wray reported on 17 cases in her office.

Rick Allen Deputy Director, Georgia Drugs & Narcotics Agency:

- Provided update of NABP information, re: HIPAA and SB 205 which limits the possession of 300 or more Sudafed. The Board may need to write rules regarding these issues.

Applications

- Applications submitted for possible approval on **C.C., M.P., C.L.K. and W.D.H.**

Ronald L. Varner: Mr. Madden made a motion to **deny** Mr. Varner's request for reinstatement of his pharmacist license. The motion was seconded by Mr. Lane and was approved by the Board. Mr. Prather was not present during the vote & approval from the Board.

Thomas Barrett: Mr. Madden made a motion to **deny** Mr. Barrett's request for reinstatement of his pharmacist license. The motion was seconded by Mr. Lurey and was approved by the Board. Mr. Prather was not present during the vote & approval from the Board.

Britt G. Roberts: Mr. Lurey made a motion to **deny** Mr. Roberts' request for reinstatement of his pharmacist license. The motion was seconded by Mr. Tatum and was approved by the Board. Mr. Prather was not present during the vote & approval from the Board.

Review Hearing – Callistus Eziukwu: Mr. Lurey made a motion to revoke Mr. Eziukwu's pharmacist license. The motion was seconded by Mr. Madden and was approved by the Board. Mr. Palmer recused himself from the vote.

The following votes were made in reference to the **Cognizant Member's** report:

#A03-19: The cognizant member recommended **referring the case to the Attorney General's office for the drafting of a public consent order**. Mr. Lane made a motion to accept the recommendation. The motion was seconded by Mr. Lurey and was approved by the Board.

#03-13: The cognizant member recommended that a **\$1000.00 fine** be **imposed** for operating a pharmacy without a license and not having proper storage of drugs. Mr. Prather made a motion to accept the recommendation. The motion was seconded by Mr. Lurey and was approved by the Board.

#A26515: The cognizant member recommended that a **\$500 fine** be **imposed** for the pharmacist and a **\$500.00 fine** to the pharmacy involved with a **public consent order** for failure to offer patient counseling which resulted in a prescription miss-fill. The pharmacist must obtain 15 hours of additional continuing education of which 5

hours must be contact hours to include pharmacy law and patient counseling. Mr. Lurey made a motion to accept the recommendation. The motion was seconded by Mr. Madden and was approved by the Board.

#R03-01: The cognizant member recommended that the **applicant's request for licensure as a researcher pharmacist be approved**. Mr. Madden made a motion to accept the recommendation. The motion was seconded by Mr. McGee and was approved by the Board.

The Board made the following votes regarding the submitted applications:

- **C.C.:** Mr. Lurey made a motion to **allow** the applicant to sit for the MPJE examination and upon achieving a passing score, send a request to the AG for the drafting of a consent order to mimic the SC order. The motion was seconded by Mr. Tatum and was approved by the Board.
- **M.P.:** Mr. Lurey made a motion to **approve** the applicant's request for exemption of additional required hours based on experience. The motion was seconded by Mr. Lane and was approved by the Board.
- **C.L.K.:** Mr. Lane made a motion to **approve** the applicant's request for approval of internship hours submitted. The motion was seconded by Mr. Madden and was approved by the Board.
- **W.D.H.:** Mr. Prather made a motion to **deny** the respondent's request for reinstatement of his pharmacist license because he is not eligible to reinstate. Respondent's Voluntary Surrender requires that he must re-apply for licensure provided that the requirements, as outlined in §26-4-41, are met. The motion was seconded by Mr. Palmer and was approved by the Board.

Letter by Joanne Marcone: Mr. Palmer made a motion to **approve** Ms. Marcone's request to lift the work restriction from her pharmacist license. The motion was seconded by Mr. Prather and was approved by the Board.

Newly Licensed Pharmacists/Pharmacy Interns: Mr. Lurey made a motion to **ratify** all of the newly licensed pharmacists/pharmacy interns. The motion was seconded by Mr. Lane and was approved by the Board. (Attachment 1)

Letter by Carmen Catizone, ED, NABP: This item was viewed as informational by the Board.

Survey by David Brushwood, RPH., J.D., Professor, University of FL: The Board **directed** that a response be sent advising Mr. Brushwood that the Board does not respond to surveys.

Draft; April Minutes: Mr. Lane made a motion to **approve** the April minutes as presented. The motion was seconded by Mr. Tatum and was approved by the Board.

Letter by A. Leroy Toliver, LLP, re: William C. Gorman, RPH.: Mr. Madden made a motion to **approve** Mr. Toliver's request, on his client's behalf, to lift the no 'PIC' restriction from his pharmacist license. The motion was seconded by Mr. Madden and was approved by the Board.

Draft; Board Policies: Mr. Lurey made a motion to **adopt** the Board Policies as presented. The motion was seconded by Mr. Palmer and was approved by the Board. (Attachment 1)

E-mail; LaWanda Johnson: Mr. Tatum made a motion to **approve** Ms. Johnson's request to work as an intern upon obtaining an intern license. The motion was seconded by Mr. Lurey and was approved by the Board.

Letter; Eddie Madden, Madden's Pharmacy, Inc.: Mr. Lurey made a motion to **approve** Mr. Madden's request for approval of the security system at his retail pharmacy. The motion was seconded by Mr. Palmer and was approved by the Board. Mr. Madden recused himself from the vote.

Anita Martin, Executive Director:

- Provided information MALTAGON meeting.
- Provided information regarding the facility renewals.
- Provided information regarding the June examinations.

Jeff Lurey's Report:

- Requested that a representative from The Right Choice – a mail-order company be scheduled to provide information to the Board at the July 2003 meeting.
- Requested that a representative from AmerisourceBergen be scheduled to discuss Central Fill with the Board at the June 2003 meeting.
- Asked if Board might want to consider requesting an opinion from the AG's office regarding E-Prescribing.

Eddie Madden's Report:

- Inquired about the status regarding the Canadian Drug issues. John Sherrer & Anita Martin will work on drafting information regarding the Canadian Drug issues for the GPhA newsletter and the web site.

John Sherrer's Report:

- Provided the Board with updates about the items discussed/decisions made at the NABP Annual Meeting.

There being no further business to be discussed, the meeting was adjourned at 2:25 PM.